

FILED

08 MAR 26 PM 12:40

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

CLERK OF U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LUZ-MARIA URZUA, CESAR ANCHANTE-

MARTINETTI

C/o 6787 Hillsvie Dr,

Vacaville, California Zip Code

Exempt,

Libellants,

vs.

COUNTRYWIDE HOME LOANS, ANGELO

MOZILO, CEO et. Al.

c/o Sanford Shatz

5220 Las Virgenes Road, MS: AC-11

Calabasas, California [91302]

Libellee,

MEMORANDUM

Now, by special appearance, comes Luz-Maria Urzua and Cesar Anchante-Martinetti the flesh and blood woman and men, Sui Juris and unschooled in law, hereinafter referred to as we, ours, us, me, my, I, or the like, to make the following AFFIDAVIT with clean hands, full disclosure and no intent to defraud, furthermore, the following first hand asseverations are true, complete, certain and not meant to mislead or delay.

1.) We are of legal age, competent to testify and under no legal

1 disability.

2 2.) Libellants have filed an action for declaratory judgment as a
3 result of libellee's breach of agreement.

4 3.) Libellants have exhausted their administrative remedies in this
5 instant matter.

6 4.) Libellants seek a default judgment as libellees have failed to
7 rebut the complaint.

8 5.) Libellees have failed to ask for a more definitive statement and
9 are in agreement with libellants.

10 OVERVIEW OF FACTS

11 6.) On October 10, 2007 Libellees sent a presentment to us demanding
12 payment of a sum certain.

13 7.) We conditionally accepted that presentment upon COUNTRYWIDE HOME
14 LOANS continuing fiduciary duty to deal honestly and answer questions
15 about the underlying obligation.

16 8.) We then sought to exhaust our administrative remedies.

17 9.) On December 14, 2007 we filed suit in UNITED STATES DISTRICT
18 COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA, Case number CV 07 6349
19 CW with the administrative procedure attached.

20 10.) THE RECORD shows that COUNTRYWIDE HOME LOANS received a copy
21 of a Summons on December 24, 2007, Deadlines on January 28, 2008, see
22 attached copy Certified Mail No. 7007 1490 0000 8781 2525

23 11.) The RECORD shows that COUNTRYWIDE HOME LOANS has refused and/or
24 failed to appear and defend filed.

25 12.) COUNTRYWIDE HOME LOANS remained silent.

13.) On December 7, 2007 A CERTIFICATE OF DISHONOR of the CONDITIONAL
ACCEPTANCE, LETTER ROGATORY and AFFIDAVIT IN SUPPORT OF LETTER

1 ROGATORY and an INVOICE were sent for a second time.
14.) COUNTRYWIDE HOME LOANS remained silent.

2 15.) On December 28, 2007 a CERTIFICATE OF DISHONOR of the CONDITIONAL
3 ACCEPTANCE, LETTER ROGATORY and AFFIDAVIT IN SUPPORT OF LETTER
4 ROGATORY, and an INVOICE were sent for a third time.

5 16.) COUNTRYWIDE HOME LOANS remained silent

6 17.) COUNTRYWIDE HOME LOANS NOTICE OF MOTION AND MOTION TO DISMISS was
7 dated on February 22nd, 2008. The twenty-eight days to respond
8 have passed since C 07-06349 JSW was filed.

9 18.) The RECORD shows that no request for a more definitive statement
10 was executed by COUNTRYWIDE HOME LOANS until February 6th or after.

11 19.) Federal Rules of Civil Procedure provide for default judgment by
12 the clerk for a failure to appear and defend [rule 55(a)].

13 20.) The Protest evidences COUNTRYWIDE HOME LOAN'S agreement, consent
14 and stipulation to our position.

15 21.) COUNTRYWIDE HOME LOANS is in default.


16 22.) A default judgment by the clerk establishing COUNTRYWIDE HOME
17 LOANS default is appropriate.

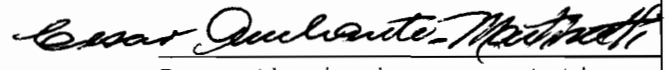
18 23.) A sum certain amount of \$64,774,742.40 is due and owing
19 libellants by libellee.

20 24.) COUNTRYWIDE HOME LOANS and/or any other interested party had
21 three days from the verified receipt of this VERIFIED NOTICE OF DEFAULT
22 to rebut this AFFIDAVIT item by item and line by line or be forever
23 esstopped by default.

24 Our yea is our yea and our nay is our nay.

25 Dated this 26th day of March, 2008


By: authorized representative
Without recourse


By: authorized representative
Without recourse

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LUZ-MARIA URZUA, CESAR ANCHANTE-) Case No. CV 07-06349-JSW
MARTINETTI)
C/o 6787 Hillsvieview Dr,)
Vacaville, California Zip Code)
Exempt,)
Libellants,)
vs.)
COUNTRYWIDE HOME LOANS, ANGELO MOZILO,)
CEO et. Al.)
C/o SANFORD SHATZ)
5220 Las Virgenes Road, MS: AC-11
Calabasas, California [91302]
Libellee,

CERTIFICATE OF SERVICE

Now, by special appearance, comes Luz-Maria Urzua and Cesar Anchante-Martinetti the flesh and blood woman and man, Sui Juris and unschooled in law, hereinafter referred to We, ours, us, as me, my, I, or the like, to make the following NOTICE with clean hands, full disclosure and no intent to defraud, furthermore, the following first hand asseverations are true, complete, certain and not meant to mislead.

NOTICE is hereby given that:

11.) We are of legal age, competent to testify and under no legal disability.

12.) This is to certify that on March 26th, 2008 we placed a true and accurate copy of the enclosed VERIFIED NOTICE OF DEFAULT in the U. S. mail with postage prepaid and addressed as follows:

COUNTRYWIDE HOME LOANS/ ANGELO MOZILO, CEO

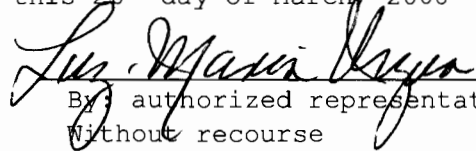
C/o SANFORD SHATZ

5220 Las Virgenes Road, MS: AC-11

Calabasas, California [91302]

With certified mail number 7006 0100 0005 6174 0256

Dated this 26th day of March, 2008


By: authorized representative
Without recourse



By: authorized representative
Without recourse